

REMARKS

Claims 1-2, 4-15 and 17-26 remain pending in the application with the present amendments. Claims 3 and 16 are cancelled herein in view of the amendments made to claims 1 and 14 herein. In the Official Action, claims 14 and 27 were rejected under 35 U.S.C. §101 as failing to be directed to subject matter protectible under the United States Patent Laws. While claim 27 is voluntarily cancelled herein for reasons not related to this rejection, it is submitted that, as amended herein, claim 14 now clearly overcomes this rejection, as the claimed method now clearly recites a "concrete, tangible and useful result." As amended herein, claim 14 now recites steps performed by one or more electronic processing devices with the end result of permitting or denying access to content received by the one or more electronic processing devices.

Further, the claims as amended herein now clearly overcome the prior art rejections made thereto under 35 U.S.C. §102(e) based on U.S. Patent No. 6,226,618 B1 to Downs et al. ("Downs") and the rejections made under 35 U.S.C. §103(a) based on *Downs* in view of U.S. Patent No. 6,668,246 B1 to Yeung et al. ("Yeung"), or based on *Downs* in view of U.S. Patent No. 6,772,344 B1 to Chan ("Chan"). For the reasons set forth below, it is submitted that all of the claims as presently pending are patentably distinguished from the references used to reject the claims by the Examiner. Reconsideration and withdrawal of all of the rejections is earnestly solicited.

As amended herein, claim 1 now recites a content receiving apparatus which includes a receiver operable to receive content that is distributed in accordance with a plurality of rights management and protection methods. The receiver includes a rights processing unit, the rights processing unit including a plurality of rights management and protection modules, each of which is operable to perform rights

processing of content received by the receiver in accordance with a respective one of the rights management and protection methods. As recited in claim 1, the content receiving apparatus further includes an identification unit which is operable to identify the rights management and protection method in accordance with which particular content received by the receiver is distributed. The identification unit is also operable to select one of the rights management and protection modules to perform rights processing of the particular received content in accordance with the identified rights management and protection method.

Clearly, *Downs* neither teaches nor suggests these features of the invention recited in claim 1. The passages of *Downs* cited by the Examiner describe a system in which the end user device is merely able to check for use restrictions and to identify the origin of authorized or unauthorized copies of content but only if the "Digital Content is accessed in a compliant End-User Device" (col. 7, lns. 48-65). However, *Downs* neither teaches nor suggests a rights processing unit having a *plurality of rights processing units*, each of which is operable to perform rights processing of content received by the receiver in accordance with *a respective one of a plurality of rights management and protection methods*. Nor does *Downs* teach or suggest a content receiving apparatus which includes an identification unit operable to identify the rights management and protection method in accordance with which the received content is distributed and to select one of a plurality of rights management and protection modules to perform rights processing in accordance with the identified method. Rather, the extent of the identification performed by the end-user device in *Downs* is to identify the origin of authorized or unauthorized copies of content, and identify the content purchaser, end-user device, purchase or license conditions, date, etc.

(col. 7, lns. 48-65). Downs fails to teach a device which includes an identification unit operable to identify a rights management and protection method according to which particular content is distributed and to cause the particular content to be processed in accordance therewith. As similar features are also reflected in claim 14, Applicants further submit that the method recited in claim 14 overcomes the rejections made by the Examiner in the Official Action. Further, since all other pending claims depend from claim 1 or claim 14, they overcome the rejections at least on the above basis.

Support for the present amendments is provided, *inter alia*, at ¶[0023], FIG. 2 and ¶¶[0100]-[0101].

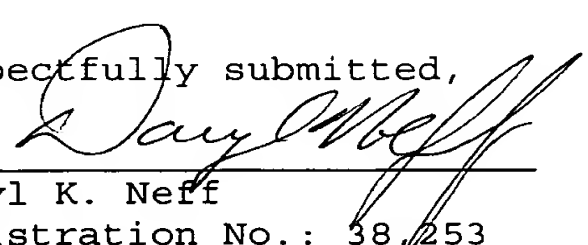
As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: December 7, 2004

Respectfully submitted,

By


Daryl K. Neff

Registration No.: 38,253

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant